

MATTHEW Q. CALLISTER, ESQ.

Nevada Bar No. 1396

MITCHELL S. BISSON, ESQ.

Nevada Bar No. 011920

CALLISTER LAW GROUP

330 E. Charleston Blvd., Suite 100

Las Vegas, NV 89104

Tel. 702.385.3343

Fax. 702.385.2899

Email: mqc@callcallister.com

mbisson@callcallister.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KELLY JACKSON, an individual,

Plaintiff,

vs.

NYE COUNTY *ex rel.* NYE COUNTY
SHERIFF'S OFFICE; ANTONIO M.
MEDINA

Defendants.

Case No: 2:16-cv-03022-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DEADLINES SET FORTH IN
JOINT DISCOVERY PLAN AND
SCHEDULING ORDER**

(SECOND REQUEST)

THE PARTIES HEREBY STIPULATE AND AGREE by and between Plaintiff KELLY JACKSON, by and through counsel of record Matthew Q. Callister, Esq. and Mitchell S. Bisson, Esq., of the law firm of Callister Law Group, and Defendant NYE COUNTY *ex rel.* NYE COUNTY SHERIFF'S OFFICE and ANTONIO MEDINA, by and through counsel of record Rebecca Bruch, Esq., of the law firm of Erickson, Thorpe & Swainston, LTD., that, in accordance with LR 7-1 and 26-4 of the Local Rules of Practice for the United States District Court, District of Nevada, the Court's November 22, 2017, Order to Extend Deadlines Set forth In Joint Discovery Plan (Doc No. 36) be amended and deadlines, as listed below, be extended ninety (90) days from the currently scheduled dates. This is the second request to extend the deadlines by the parties.

1 This request includes extensions of the deadlines for discovery, initial expert and rebuttal
2 expert disclosures under Rule 26(a)(2), dispositive motions, the interim status report, and Joint
3 Pretrial Order. The present and proposed new dates for these deadlines are set forth in Section
4 D below. The extension is necessary to accommodate the completion of certain depositions prior
5 to retention of expert witnesses.

6 **A. STATEMENT SPECIFYING DISCOVERY COMPLETED (LR 26-4(a))**

7 The Rule 26(f) conference was held on April 19, 2017. Following the Rule 26(f)
8 conference, the proposed Joint Discovery Plan and Scheduling Order was filed on May 2, 2017.
9 The Court approved the proposed Discovery Plan and Scheduling Order on May 10, 2017.
10 Defendant exchanged initial disclosures on July 18, 2017. Plaintiff exchanged initial disclosures
11 on November 9, 2017. On November 22, 2017, the Court approved a Stipulation to Extend
12 Deadlines Set Forth in the Joint Discovery Plan and Scheduling Order (First Request).

13 On June 22, 2017, Defendant propounded Interrogatories upon Plaintiff, which Plaintiff
14 responded to. On July 31, 2017, Defendant propounded Notice of Deposition upon Plaintiff
15 which was set for October 13, 2017. Plaintiff requested the October 13, 2017, deposition to be
16 vacated because of ongoing medical issues as well as trauma caused by her attendance at the
17 Route 91 shooting in Las Vegas. On February 9, 2018, Defendant commenced Plaintiff's
18 deposition, but was not able to complete the deposition because Plaintiff had not yet produced
19 certain documents upon which she had relied in this case. On February 13, 2018, Defendant
20 propounded Requests for Production of Documents on Plaintiff. On March 1, 2018, Defendant
21 supplemented its FRCP 26 disclosures.

22 **B. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**
23 **COMPLETED (LR26-4 (b))**

24 Plaintiff needs to supplement its witness disclosures, respond to Requests for Production
25 propounded by Defendants on February 13, 2018, and both parties need to take numerous
26 depositions. Defendant reserves, and Plaintiff does not object to completion of the Plaintiff's
27 deposition and take several other depositions. Both parties need to retain experts after the
28 Plaintiff's deposition is taken and depose the respective experts.

C. REASONS FOR REQUESTED EXTENSION (LR26-4 (c))

The parties attended and participated in an ENE on July 27, 2017, but there was no settlement.

Defendant commenced the deposition of Plaintiff on February 9, 2018. During said deposition discoverable yet undisclosed information was introduced by Plaintiff. Plaintiff is in the process of preparing supplemental disclosures and responding to Requests for Production. Defendant reserved the right to continue Plaintiff's deposition. Additionally, on April 11, 2018, counsel for Defendant will be undergoing a medical procedure that will require a two-week leave of absence. Therefore, this request is necessary to allow time for the parties to move forward with discovery.

D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY (LR26-4 (d))

Pursuant to LR 26-4, the parties propose to extend the current deadlines and jointly submit the following to the Court:

1. **Discovery Cut-Off Date:** The current deadline to complete discovery is March 21, 2018. The parties propose extending the discovery deadline by 90 days, which will make the new deadline to complete discovery June 19, 2018 (Tuesday);
2. **Interim Status Report:** The current deadline to file a Joint Interim Status Report was January 19, 2018. The parties propose extending this deadline 90 days, which will make a Joint Interim Status report due: April 19, 2018 (Thursday);
3. **Expert Disclosures:** The current deadline for expert disclosures was January 19, 2018. The parties propose extending this deadline 90 days, which will make the last date to disclose experts pursuant to Fed. R. Civ. P 26 (a) (2) April 19, 2018 (Thursday);
4. **Rebuttal Experts:** The current deadline for rebuttal expert disclosures is no

1 later than thirty (30) days after the initial disclosure of experts, or February 22,
2 2018. The parties propose extending this deadline 90 days, which will make the
3 last date to disclose rebuttal experts May 23, 2018 (Wednesday);

4 5. **Dispositive Motions**: The current last date to file dispositive emotions is no later
5 than thirty (30) days after the discovery cut-off date, or April 18, 2018. The
6 parties propose extending this deadline 90 days, which will make the last date
7 to file dispositive motions July 17, 2018 (Tuesday);

8 6. **Pre-Trial Order**: The current date the parties shall file the joint pretrial order
9 is no later than thirty (30) days after the dispositive-motion deadline, or May
10 15, 2018. The parties propose extending this deadline 90 days, which will
11 make the joint pretrial order due by August 13, 2018 (Monday) (if dispositive
12 motions are filed, the deadline for filing the joint pretrial order will be
13 suspended until 30 days after decision on the dispositive motions or further
14 court order.)

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7. **Pre-Trial Disclosures:** Parties will make their pretrial disclosures at least thirty (30) days before trial. Within fourteen (14) days after they are made, unless the court sets a different time, a party may serve and promptly file a list of the following objections: any objections to the use under FRCP 32 (a) of a deposition designated by another party under FRCP 26 (a) (3) (A) (ii); and any objection, together with the grounds for it, that may be made to the admissibility of materials identified under FRCP 26 (a) (3) (A) (iii). An objection not so made – except for one under Federal Rule of Evidence 402 or 403 - - - is waived unless excused by the court for good cause.

DATED this 8th day of March, 2018.

CALLISTER LAW GROUP

/s/ Matthew Q. Callister

MATTHEW Q. CALLISTER, ESQ.

Nevada Bar No. 001396

MITCHELL S. BISSON, ESQ.

Nevada Bar No. 011920

330 E. Charleston Blvd., Suite #100

Las Vegas, Nevada 89104

Attorneys for Plaintiff

DATED this 8th day of March, 2018.

ERICKSON, THORPE & SWANTON, LTD

/s/ Rebecca Bruch

REBECCA BRUCH, ESQ.

Nevada Bar No. 007289

99 West Arroyos Street

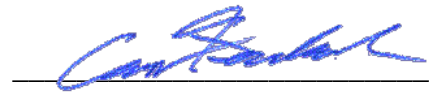
Reno, Nevada 89509

Attorneys for Defendant Nye County

ORDER

IT IS SO ORDERED.

DATED this 9th day of March, 2018.



UNITED STATES MAGISTRATE JUDGE

Prepared and Submitted by:

CALLISTER LAW GROUP

/s/ Matthew Q. Callister

Matthew Q. Callister, ESQ.

Attorneys for Plaintiff